

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Roger Philip Sack)	
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Application No.: 10/563,032)	Confirmation No.: 6060
)	
Group Art Unit: 2857)	
)	
Examiner: Hal D. Wachsman)	
)	
Filed: May 11, 2006)	
)	
Title: A METHOD FOR LOGGING THE)	
PERFORMANCE OF A VEHICLE)	
SUSPENSION SYSTEM)	
)	

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Response to Restriction Requirement Under 37 C.F.R. § 1.143

Sir:

In response to the restriction requirement set out in the Office Action dated August 16, 2007, the applicant hereby elects species I, claims 2 through 11. Applicant further elects subspecies v to which claim 9 is drawn. The claims readable on the elected species are generic independent claim 1 and dependent claims 2 and 9.

This election is made with traverse. The Examiner has issued a species requirement based upon the claims in the application. According to M.P.E.P. §806.04(e) claims are definitions of inventions. Claims are never species. Species are the specifically different embodiments. For example, in the present case, claim 5 recites a meter. Claim 6 depends from claim 5 and further defines that eight load measuring elements provide information to the meter. Both of these claims refer to the same embodiment of the invention, claim 6 further specifying an aspect of that embodiment. It is submitted that the election of species is improper as issued and that it should be withdrawn and all of the claims examined.

If the Examiner has any questions about the present response a telephone interview is requested.
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Date: September 14, 2007

Respectfully submitted,

By: 

Dennis J. Williamson
Registration No. 32,338
Attorney for Applicant
Moore & Van Allen, PLLC
P.O. Box 13706
Research Triangle Park, N.C. 27709
Phone: 919-286-8000
Facsimile: 919-286-8199